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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,486	06/25/2003	Naomi Shiragami	72478-9000	3127
21611	7590	10/11/2006	EXAMINER SON, LINH L D	
SNELL & WILMER LLP 600 ANTON BOULEVARD SUITE 1400 COSTA MESA, CA 92626			ART UNIT 2135	

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/603,486

Applicant(s)

SHIRAGAMI ET AL.

Examiner

Linh LD Son

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 07/06, 11/03.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Charles B. [Signature]
AU 2135

DETAILED ACTION

1. This Office Action is responding to the filing of the application received on 06/25/2003.

2. Claims 1-17 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Novak, US Patent No. 6865555 B2.

5. As per claims 1, 6, and 14-17:

Novak discloses "A contents management system in which a playback device plays an encrypted content stored on a portable recording medium, using a decryption key acquired from a management device (Col 17 lines 45-67, Fig 10), comprising:

the management device (Verification entity), which holds the decryption key for decrypting the encrypted content in correspondence with disclosure information relating to disclosure of the encrypted content, refers to the disclosure information and judges, when a request is received from the playback device, whether disclosure of the encrypted content is permitted, and transmits the decryption key to the playback device if judged that disclosure is permitted" in (Col 2 line 60 to Col 3 line 26 and Col 3 lines 57-67);

"The recording medium, which stores the encrypted content encrypted using an encryption key" in (Col 3 lines 57-63), and "a key request program for requesting the management device for the decryption key" in (Col 2 lines 42-49, and Col 10 lines 53-58); and

"the playback device, which reads from the recording medium and executes the key request: program, receives the decryption key from the management device, reads from the recording medium and decrypts the encrypted content using the decryption key, and plays the decrypted content" in (Col 3 lines 1-25, and lines 45-67).

6. As per claim 2:

Novak discloses "The contents management system of claim 1, wherein the management device stores, as disclosure information, period information showing at least one of a disclosure start date and a disclosure end date, and judges whether disclosure of the content is permitted according to the period information" in Col 2 line 65 to Col 3 line 5).

As per claim 3:

Novak discloses "The contents management system of claim 2, wherein the playback device includes:

a key request program executing unit operable to read from the recording medium and execute the key request program" in (Col 2 lines 42-49, and Col 10 lines 53-58);

"a key receiving unit operable to receive the decryption key from the management device" in (Fig 4 #306);

"a content reading unit operable to read the encrypted content from the recording medium" in (Fig 3 #102, #312); and

"a playback unit operable to decrypt the-encrypted content using the decryption key and playback the decrypted content" in (Fig 3, #304), and

"the management device includes:

a key storage unit storing the decryption key" in (Fig 10 #310);

"a disclosure information storage unit storing the period information as disclosure information" in (Fig 10, #310, Col 13 lines 33-39), ;

"a disclosure judging unit operable to receive the request from the playback device, and to refer to the period information and judge whether disclosure of the encrypted content is permitted" in (Col 18 lines 17-25); and

"a key transmitting unit operable, if judged that disclosure is permitted, to transmit the decryption key to the playback device" in (Col 18 lines 25-33).

7. As per claim 4:

Novak discloses "The contents management system of claim 2, further comprising a manager device used by a manager of the system, wherein the manager device receives update information used for updating the period information and transmits the received update information to the management device, and the management device receives the update information from the manager device and updates the period information according to the received update information" in (Col 13 lines 39-54) [the playback device establishes of a temporary connection once the license expires to update the management device and possibly acquiring a new license].

8. As per claim 5:

Novak discloses "The contents management system of claim 2, further comprising a manager device used by a manager of the system, wherein:

the management device, on receipt of a request from the playback device, generates historical information that includes a user identifier which uniquely identifies a user using the playback device, and a content identifier which uniquely identifies the encrypted content, and stores the generated historical information, the manager device receives an historical information request for transmission of historical information stored by the management device, and transmits the received historical information

request to the management device, and the management device receives the historical information request from the manager device, reads the stored historical information and transmits the read historical information to the manager device" in (Col 13 lines 38-53, and Col 18 lines 16-33) [The update reception unit is also the verification unit. The expiration of the license causes the playback device to establish a connection with the management device to re-license. The process causes the license storage to update the requested license information. The history information of the reestablishing license content get updated on the Management server for future used to validate the license].

9. As per claim 7:

Novak discloses "A management device: that holds a decryption key for decrypting an encrypted content stored on a portable recording medium and transmits the decryption key to a playback device, the recording medium storing the encrypted content encrypted using an encryption key and a key request program for requesting the management device for the decryption key" in (Fig 10, #310), comprising:

"a key storage unit storing the decryption key" in (Fig 10 #310, Col 18 lines 7-16);

"a disclosure information storage unit storing disclosure information relating to disclosure of the encrypted content" in (Col 18 lines 1-7);

"a disclosure judging unit operable to receive a request from the playback device, and to refer to the disclosure information and judge whether disclosure of the encrypted content is permitted" in (Col 17 lines 58-67); and

a key transmitting unit operable, if judged that disclosure is permitted, to transmit the decryption key to the playback device" in (Col 18 lines 25-33).

10. As per claim 8:

Novak discloses "The management device of claim 7, wherein the disclosure information storage unit stores, as disclosure information, period information showing at least one of a disclosure start date and a disclosure end date" in (Col 18 lines 20-25).

11. As per claim 9:

Novak discloses "The management device of claim 8, wherein the disclosure information storage unit stores period information that includes a user identifier uniquely identifying a user using the playback device, and relates to disclosure of the encrypted content to the user identified by the user identifier, and the disclosure judging unit, on receipt from the playback device of a request that includes the user identifier, judges using the period information whether disclosure of the encrypted content is permitted to the user identified by the user identifier" in (Col 2 line 60 to Col 3 line 25, and Col 18 lines 15-25).

12. As per claim 10:

Novak discloses "The management device of claim 9, wherein the recording medium stores a plurality of encrypted contents in correspondence with content

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identifiers uniquely identifying individual encrypted contents, each of which has been encrypted using a different encryption key, the disclosure information storage unit stores a piece of the period information for each of the encrypted contents, and the disclosure judging unit, on receipt from the playback device of the request that includes the user identifier and a content identifier, judges using the period information whether disclosure of an encrypted content identified by the content identifier is permitted to the user identified by the user identifier" in (Col 2 line 60 to Col 3 lines 25).

13. As per claim 11:

Novak discloses "The management device of claim 10, wherein the disclosure information storage unit further stores content information and user information, the content information including, for each encrypted content, at least one of a secrecy classification showing a secrecy of the encrypted content and a field showing a substance of the encrypted content, and the user information including at least one of a useable classification, a useable count number and a useable field of the user, and

the disclosure judging unit judges whether disclosure of the encrypted content is permitted to the user, by referring to the period information, the content information, and the user information" in (Col 18 lines 16-33).

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14. As per claim 12:

Novak discloses "The management device of claim 7, further comprising: an update reception unit operable to receive update information for use in updating the period information; and

an update unit operable to update the period information according to the received update information" in (Col 13 lines 38-53, and Col 18 lines 16-33) [The update reception unit is also the verification unit. The expiration of the license causes the playback device to establish a connection with the management device to re-license. The process causes the license storage to update the requested license information].

15. As per claim 13:

Novak discloses "The management device of claim 7, further comprising: an historical information generation unit operable, on receipt of a request from the playback device, to generate historical information that includes a user identifier which uniquely identifies a user using the playback device, and a content identifier which uniquely identifies the encrypted content; and an historical information storage unit that stores the generated historical information" in (Col 13 lines 38-53, and Col 18 lines 16-33) [The update reception unit is also the verification unit. The expiration of the license causes the playback device to establish a connection with the management device to re-license. The process causes the license storage to update the requested license information].

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16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linh LD Son whose telephone number is 571-272-3856. The examiner can normally be reached on 9-6 (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Linh LD Son
Examiner
Art Unit 2135

Thanh B. Tran
AU 2135